

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BRIDGETT DAHL,

Plaintiff

v.

JACOB MANDRUSIAK,

Defendant

Case No.: 2:18-cv-02225-APG-DJA

**Order Rejecting the Proposed Joint  
Pretrial Order**

[ECF No. 68]

The parties' proposed Joint Pretrial Order (ECF No. 68) does not comply with Local Rules 16-3 and 16-4. At the end of her exhibit list, plaintiff Bridgett Dahl "reserves the right to utilize any document . . . disclosed by any other party in the case, as well as all documents attached as exhibits to depositions . . . ." ECF No. 68 at 7. Dahl also "reserves the right to rely upon any other document identified by any party" and various pleadings and discovery responses. *Id.* Local Rule 16-3(b)(8) requires the parties to list all of their trial exhibits, rather than reserving some undefined right (which does not exist) to use any document they later decide to offer. Vague, broad designations of exhibits make it impossible for the other party to object as required by Local Rule 16-3(b)(8)(B).

Similarly improper is Dahl's notice that she "may utilize portions or all of the deposition testimony in the matters identified in the caption above." *Id.* at 8. Parties are to designate the specific deposition transcripts, by page and line number, they intend to use at trial. *See* Local Rule 16-3(b)(10).

In her list of witnesses, Dahl lists 48 witnesses, which appears to be every person identified in this case. She then "reserves the right to call as a witness any person identified by" the defendant in discovery. ECF No. 68 at 10-15. The list includes at least 12 "P.M.K."

1 witnesses for medical-related entities despite the fact that the parties have stipulated to admit  
2 most of the medical records. *See Id.* at 4-5. This attempt to reserve a right (again, which does not  
3 exist) to call literally anyone at trial violates Local Rule 16-3(b)(12). And it will be nearly  
4 impossible to present 48 witnesses during a trial that will last only five to seven days. *See Id.* at  
5 16.

6 Local Rules 16-3 and 16-4 are designed to streamline trial preparation and presentation  
7 and to foster settlement. The parties cannot wait until the eve of trial to make trial decisions.  
8 Designating every document and every witness for use at trial is inappropriate. Such tactics  
9 prevent full participation in settlement discussions and deprive the other side the ability to  
10 efficiently prepare for trial.

11 I THEREFORE ORDER that the parties' Joint Pretrial Order (**ECF No. 68**) is  
12 **REJECTED**. The plaintiff shall revise her portion of the proposed order and then confer again  
13 with the defendant's counsel. The parties shall submit a revised Joint Pretrial Order that  
14 complies with Local Rules 16-3 and 16-4 by August 27, 2020.

15 DATED this 11th day of August, 2020.

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18 ANDREW P. GORDON  
19 UNITED STATES DISTRICT JUDGE  
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